

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BRIAN WHITAKER,
Plaintiff,

v.

CHINA INN - SAN JOSE, INC.,
Defendant.

Case No. 21-cv-09119-EJD

**ORDER TO SHOW CAUSE RE
SETTLEMENT**

Re: ECF No. 12

The parties, having filed a Notice of Settlement on **February 16, 2022** (*see* ECF No. 12), are ordered to appear before the Honorable Edward J. Davila on **May 26, 2022, at 10:00 AM** in Courtroom No. 4, 5th Floor, United States District Court, 280 South First Street, San Jose, California, 95113, to show cause why the case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b). On or before **May 16, 2022**, the parties shall file a joint statement in response to the Order to Show Cause setting forth the status of settlement efforts as well as the amount of additional time necessary to finalize and file a dismissal.

The Order to Show Cause shall be automatically vacated and the parties relieved of the obligation to file a joint statement if a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a) is filed on or before **May 16, 2022**.

All other pretrial deadlines and hearing dates are VACATED and any pending motions are TERMINATED.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss the action.

IT IS SO ORDERED.

Dated: February 17, 2022


EDWARD J. DAVILA
United States District Judge